

THE PROGRESSIVE INTERVIEW

by David Kupfer

Robert F. Kennedy Jr.

Son of the late Attorney General and Presidential candidate Robert Kennedy and nephew of JFK, Robert F. Kennedy Jr. has been around politics all his life. From a young age, he has also had a love affair with the Earth, whether sailing or hunting or birding. He helped lead the fight to protect New York City's water supply and has won many lawsuits against companies guilty of polluting the Hudson River, Long Island Sound, and other bodies of water.

I met up with Robert Kennedy Jr. on the second day of summer at San Francisco State University, where he was attending the Eighth Annual Waterkeeper

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Alliance Conference. It brings together environmentalists from six continents who sue polluters, and Kennedy is president of the organization.

Three weeks prior, Kennedy had made a big splash with a story in *Rolling Stone* about vote rigging in Ohio. "Was the 2004 Election Stolen?" made immediate waves. While the news media was slow to recognize and validate his thesis, in recent months, a national debate has been burning. On July 13, the law firm of Levin Papantonio Thomas Mitchell Echsner & Proctor, which Kennedy is a member of, filed a federal lawsuit against Diebold and other electronic voting machine companies alleging that they misrepresented their products as "unhackable."

He currently co-hosts *Ring of Fire* on Air America Radio with Mike Papantonio. Kennedy is also a clinical professor and supervising attorney at the Environmental Litigation Clinic at Pace University School of Law, which has a partnership with Hudson Riverkeeper, an organization that he helped create. It was at Pace that he earned a master's degree in law after acquiring a political science degree from Harvard and a law degree from the University of Virginia. He is also the senior attorney and national spokesman for the Natural Resources Defense Council.

In 1983, then-twenty-nine-year-old RFK Jr. was arrested for possession of heroin. During his subsequent 800 community service hours spent with the Hudson River Foundation, the young lawyer bonded with the organization. Upon completion of his community service, he was hired as the group's chief prosecuting attorney in 1984. After one successful case, the group used the money to buy a boat, dubbed *The Riverkeeper*, which continues to patrol the Hudson searching for polluters.

In 2004, he wrote *Crimes Against Nature*, detailing how President Bush has rewritten the nation's environmental laws in favor of industry. Kennedy recounted how Bush has filled his Administration with former lobbyists and corporate executives who now oversee the regulation of their old industries.

Prior to our meeting, Kennedy had just come from a vigorous gym workout on campus. We sat in the sun next to a redwood grove on a day of record-breaking heat. For much of our discussion, he lay shirtless on the lawn, flat on his back, eyes closed in a post-workout kick back, sitting up only to make a point with direct eye contact.

Q • Do you believe the 2004 election was stolen?

Robert F. Kennedy Jr.: Yes, I believe that any intelligent person who reads the evidence will come to the same conclusion. But one will never be able to prove

it to an absolute certainty because the votes were never counted in Ohio as the result of an illegal effort by public officials to derail the recount. Even if you do not believe that the election was stolen, there is no dispute that the Republicans made a deliberate, concerted effort to tilt the results in their favor.

There is strong evidence that Kerry won the popular vote. It was reported that there was something like a three million vote difference. But if you look at what was happening across the country, there were easily three million votes that were shifted. There were three million mostly Democratic voters in foreign countries that didn't get a chance to vote because the Pentagon shut down the website by which those voters were meant to register.

Q: These were not military personnel?

Kennedy: Of the seven million Americans living abroad, one million are military, and not all of them are Republicans. The other six million are overwhelmingly Democrat because people who live in foreign countries have a much different perspective as to what is happening in our country. They were very well organized to vote this time, and the Pentagon, under the Help America Vote Act, had set up a website that would streamline the registration process.

Q: Not the State Department?

Kennedy: No! It was put under control of the Pentagon, and the Pentagon then independently distributed absentee ballots to all its bases. But it simultaneously shut down the website by which all other American voters living abroad were supposed to register. The Pentagon has given a series of contradictory answers as to why it did that; none of them make sense.

The best indications in Ohio are that over half a million votes were stolen. There were 357,000 mainly Democratic voters in the cities, such as Cleveland, Dayton, and Columbus, who either were not allowed to vote or their votes were not counted. In addition to that, 80,000 Democratic voters in twelve western Ohio rural counties who cast a vote for Kerry had their votes shifted to Bush. That is a switch of 160,000 votes. Plus, in six other counties there were tens of thousands of Kerry voters who had their votes shifted to Bush.

Q: Are there any safeguards to prevent voter fraud again this fall, or in 2008?

Kennedy: There are no safeguards, and the Democratic Party has been abysmal in terms of making this a national issue. The Democrats are enablers, they've

been sissified, and they are being led around by a nose ring by Karl Rove. There is nothing to prevent the Republicans from engaging in the same shenanigans. In fact, they have made it easier for themselves through the passage of bills in Ohio, Florida, and other places that make it much more difficult for black people to vote and make it much more difficult for citizens to register.

American democracy is supposed to be the paradigm for the rest of the world, and it no longer is. Citizens cannot be guaranteed that they can walk into a voting booth with any assurance that their vote will be counted.

Q: Just how dysfunctional is the federal government now?

Kennedy: There are two reforms that we need to restore our democracy. The first is campaign finance. We need to get the corporate money out of the election process. And second, we need to resolve the dysfunction in the environment. Looters are running agencies that are supposed to be protecting us from pollution. The person who supervises the head of the Forest Service has been a timber industry lobbyist. The person in charge of public lands till last year was a mining industry lobbyist who believed public lands are unconstitutional. The chief environmental adviser to the President was a lobbyist for the Chemical Manufacturers Association, as well as for Alcoa and General Electric. This is a picture of dysfunction.

But you can't fix it without first fixing our democracy. We need election reform because our elections are being stolen. And these huge powerful voting machine vending companies have privatized the election process in our country.

Q: How much damage have the corporate capitalists done to bankrupt our nation?

Kennedy: There is nothing wrong with corporations. Corporations are a good thing. But corporations should not be running our government. Corporations are good because they drive our economy, they encourage people to assemble wealth and to risk it and then create jobs. They have driven the American economy since its founding, and the prosperity of our country is largely dependent on the free operation of corporations. But some corporations don't want free markets, and they don't want democracy. They want profits. And they use our campaign finance system to loot our commons, to steal from our treasury, and the other shared resources of our community—the air, the water, the public lands, the wildlife, the things that belong to all of us that are held in trust for future

JOHANNA GOODMAN



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generations. Corporations cannot act philanthropically in America. It is against the law. They cannot act altruistically. They have to have, always, the profit motive in mind. When Wal-Mart brings water down

to the Katrina victims, it's not doing that to be nice; it's doing it to make larger profits and to increase the value of its shares. If its actions are not accomplishing those objectives, the shareholders can sue the executives, and sue them successfully, because it is illegal for them to act on behalf of any other reason than increasing the value of their shares. There is nothing wrong with that. That is the way that they were created and the way we want them to function to increase prosperity in the market. But we'd be crazy to let them anywhere near our government. The only reason they want to influence government is to plunder. To steal from children.

Q: But this is not free market capitalism you are speaking of, is it?

Kennedy: We do not have free market capitalism in America; we have crony capitalism. There is a huge difference between free market capitalism that democratizes a country and makes us more efficient

and prosperous and corporate crony capitalism.

Q: What would a true free market economy look like?

Kennedy: In a true free market economy, we would properly value our natural resources. In a true free market economy, you can't make yourself rich without enriching your community.

What polluters do is raise the standards of living for themselves, while lowering the quality of living for everybody else, and they do that by escaping the disciplines of the free market. You show me a polluter, I'll show you a subsidy. I'll show you a fat cat using political clout to escape the discipline of the free market and force the public to pay his production costs.

These are facts that would make every American upset. Our birthright is being stolen, the legacy of our country is at stake, and the values of our nation are in peril. The future whispers, and the present shouts. ♦



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